



Lynda M. Connolly
Chief Justice

Trial Court of the Commonwealth District Court Department

Administrative Office
Two Center Plaza (Suite 200)
Boston, MA 02108-1906

Telephone
617/788-8810
FAX
617/788-8985
TTY
617/788-8809

LAW CLERK TO THE JUSTICES OF THE MASSACHUSETTS DISTRICT COURT

APPLICATION DEADLINE: DECEMBER 1, 2006

The Massachusetts District Court announces the immediate availability of two positions as Law Clerk to the Justices for a twenty-month term from January 1, 2007 through August 31, 2008. These clerkships are open to distinguished law school graduates and attorneys who have graduated from law school within the past five years.

One law clerk will work in the District Court's statewide **Administrative Office** in Boston, assisting in the development of reference, research and educational materials, rules changes, standards, committee work, and other publications and projects that benefit the District Court as a whole. Particularly outstanding writing and editorial skills are required for this position and previous technical or other published writing experience is desirable. This clerk also will serve part-time as the Assistant Clerk of the Appellate Division of the District Court, assisting the Clerk with the research and writing of bench memoranda and preliminary draft opinions, clerking and transporting materials to the Appellate Division's sittings, and other administrative duties.

The second clerkship, which also will be based in the Administrative Office of the District Court in Boston, is available to provide direct legal research and writing assistance to District Court judges in all aspects of District Court jurisdiction. It will provide assistance to the approximately 100 judges in four of the District Court's seven regions (**Regions 1, 2, 3 and 4**), with some travel required throughout eastern Massachusetts, including Barnstable, Bristol, Dukes, Essex, Middlesex, Nantucket, Norfolk and Plymouth counties.

The Massachusetts District Court

The Massachusetts District Court, together with the Superior Court and the Boston Municipal Court, are the court departments of general criminal and civil jurisdiction within the Massachusetts Trial Court. The District Court's approximately 158 judges and 278 magistrates sit in 62 local court divisions. For administrative purposes, the district courts are grouped into seven administrative regions, each headed by a Regional Administrative Judge who is assisted by a Regional Coordinator. The Court's Chief Justice and its Administrative Office are located in downtown Boston. The District Court's criminal jurisdiction

extends to all felonies punishable by a sentence of up to five years and other specified felonies with greater potential penalties; all misdemeanors; and all violations of city and town ordinances and by-laws. For felonies not within District Court final jurisdiction, its judges conduct probable cause hearings to determine if the accused should be bound over for grand jury indictment and trial in the Superior Court. District Court magistrates conduct hearings to issue criminal complaints and arrest warrants, and to determine whether there is probable cause to detain persons arrested without a warrant. They also set bail at nights and on weekends. Both judges and magistrates issue criminal and administrative search warrants.

The District Court has civil jurisdiction over money damage cases in tort and contract. In general, District Court jurisdiction over these money damages claims involves claims of \$25,000 or less. Cases involving claims over \$25,000 generally are filed in Superior Court. District Court judges determine such claims with finality, both in jury and jury-waived trials, with no limit as to the amount of damages that can be awarded. Fifteen District Court judges serve on the Appellate Division, an appellate tribunal with published opinions that is organized in three geographical districts and sits in three-judge panels to review questions of law that arise in civil cases.

The District Court tries small claims involving damages up to \$2,000 (initially tried to a magistrate, with a defense right of appeal either to a judge or to a jury). Its civil jurisdiction also includes many other specialized proceedings: inquests; summary process (evictions); supplementary process (enforcement of money judgments); abuse prevention restraining orders; mental health matters (including involuntary civil commitments and medication orders, and supervision of criminal defendants committed for mental observation or because incompetent to stand trial or after an insanity acquittal); alcoholism and drug abuse commitment proceedings; appeals from certain administrative agencies (involving, for example, firearms licenses or unemployment compensation); civil motor vehicle infractions (tried initially to a magistrate, with right of appeal to a judge); broad equity jurisdiction in money damages actions, small claims, summary process matters and domestic abuse protective cases, and other miscellaneous civil matters.

The Position of Law Clerk

Law clerks are required to travel as necessary to sittings of the Appellate Division (for the first of these two positions) or to other courts within the region(s) of assignment and, therefore, access to a motor vehicle is a requirement for these clerkships. Mileage reimbursement is provided at the standard state rate, currently 40 cents per mile.

Responsibilities cover a broad spectrum of legal research and writing functions from brief answers involving evidentiary issues arising from trials in progress, to drafting findings of fact and rulings of law in specific cases, to occasional larger-scale research projects for court committees or educational seminars. Most of the work, whether of long or short duration, is directly related to the decision of actual cases before the court, and involves direct contact with the judge presiding over each matter. While presence in the courtroom is not required to complete most assignments, law clerks will have ample opportunity to observe courtroom proceedings during their term of service.

Law clerks are paid \$47,018.74 during the first year of their term and \$49,155.95 during their second year, with subsidized health and dental insurance programs. Successful applicants are required to give a commitment for the full term and are expected to honor that commitment. Admission to the Massachusetts bar and prior Massachusetts residency are not required, but law clerks must reside in the Commonwealth of Massachusetts during their clerkships. The Massachusetts Trial Court's position description for the

position of law clerk is attached. The District Court is committed to nondiscriminatory hiring and employment policies.

Applications

Applicants must have graduated within the past five years from a qualified law school (see Supreme Judicial Court Rule 3:01, § 3). Applicants should be well-rounded with solid academic credentials and superior legal research and communication skills. Clear, correct and well-reasoned writing ability is an essential requirement of the position.

Applicants should indicate in a cover letter for which of the clerkships they wish to be considered. Applicants must submit a resume, a completed “Massachusetts Trial Court Application for Employment” form (which may be obtained from any courthouse, from the Administrative Office at 617-788-8810, or downloaded from the Massachusetts Trial Court’s web site at www.mass.gov/courts/jobs, a law school transcript (official or unofficial), one or more letters of recommendation (recommendations from former employers and from clinical placement supervisors or instructors are particularly helpful), and one or more writing samples that are solely the work of the applicant and have not been edited by another. Writing samples need not be lengthy but should adequately exhibit the writer’s analytical skills in a legal context. They are a very important part of the application and are read carefully for analytical ability, application of legal principles to factual situations, organization, citation form and grammar. Successful applicants must submit an official final transcript.

Applications will be acknowledged and considered only when they are complete. Applications that are received or completed after December 1, 2006 will be considered only if a position is still available. Applications should be mailed to:

Law Clerk Program
Administrative Office of the District Court
Two Center Plaza (Suite 200)
Boston, MA 02108-1906

AFFIRMATIVE ACTION / EQUAL OPPORTUNITY EMPLOYER

JOB OPPORTUNITY

November 6, 2006

Posting Date

MASSACHUSETTS TRIAL COURT

Job Description and Qualifications
for
Law Clerk

All applications must be received by December 1, 2006.

Late applications will be considered only if positions have not yet been filled.

POSITION SUMMARY:

Researching and drafting of judicial decisions and memoranda.

MAJOR DUTIES:

Researches and assists in writing of judicial decisions.

Drafts memoranda regarding legal issues.

Summarizes cases for distribution to the Justices.

Makes certain that library materials are kept current.

Performs related duties as required.

SUPERVISION RECEIVED:

Limited discretion is required and latitude is given to select methodology.
Justices review work for technical accuracy.

POSITION REQUIREMENTS:

Considerable knowledge of library research materials and court procedures and practices.

Ability to write researched memoranda clearly and concisely.

Ability to establish working relationships with Justices to allow discussion of drafts and decisions.

A law degree from an accredited law school.

SALARY: Level 16, Step 1 (currently \$47,018.74)

Completed applications should be forwarded to:

Law Clerk Program
Administrative Office of the District Court
Two Center Plaza (Suite 200)
Boston, MA 02108-1906

AFFIRMATIVE ACTION / EQUAL OPPORTUNITY EMPLOYER